

machine". Additionally, Applicant has added limitations directed to clearly setting forth the fact that the customer orders are entered through a customer interface which is connected to the process control unit. These elements were recited in some of the claims as filed. Thus, the process control unit receives input directly from the customer regarding parameters of the order and controls the production of the baked food product in accordance with customer entered information. These limitations make it clear that Applicant's invention is for use in locations, such as food stores and the like, to permit a customer to order a baked product from a desired recipe for delivery at a predetermined time. Such a method of process is not taught, disclosed or suggested by the prior art.

The Deerfield Bakery article discloses obtaining information from a customer and jotting the information down, later entering the information into the computer. There is no disclosure in this article of having a customer directly input his order into a controller which also controls the production of the process. This is likewise true of the Litwak reference which discloses software in which an employee of the bakery does order entry, production reports, labor costs. However, none of the prior art references describe a method utilizing a production controller which receives an order directly from the consumer and controls the output to deliver the output of baked products at a predetermined time.

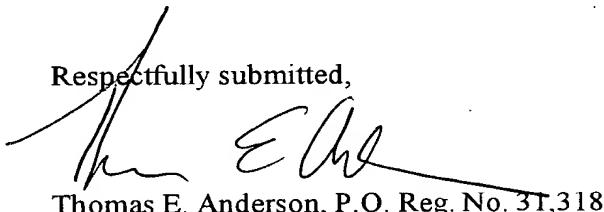
Unlike food vending machines, such as coffee machines, Applicant's process includes automated processing of a customers order of a product which is made from scratch for the customer. The making of coffee is a process which can be conducted in a relatively short period of time or which may be prepared in advance which is customized to order by adding sugar, cream, or flavorings. Thus, a base product is prepared routinely in the same fashion and customized by merely mixing additives (flavoring, cream, sugar). In the case of Applicant's baked food product process, customization

starts with the selection of the ingredients before production of the product. The product is not one that can be produced while one waits. Accordingly, it would not be obvious to consider the use of a vending machine type control for the production of baked food products, nor would it be obvious to combine such features with the prior art references which are primarily directed to large scale bakery operations. It is only Applicant's disclosure which would permit one to combine the references in the way suggested by the Examiner to produce such a result.

Accordingly, Applicant, respectfully, submits that none of the prior art references teach, disclose, or suggest a process or method having a self contained unitary machine which produces baked food products based on input entered by the customer, including the recipe, quantity, and delivery time. Reconsideration of the rejection on the newly amended claims is therefore, requested.

If the Examiner has any questions regarding this application, Applicant's attorney may be reached at (248) 647-6000.

Respectfully submitted,


Thomas E. Anderson, P.O. Reg. No. 31,318
Gifford, Krass, Groh, Sprinkle, Anderson
& Citkowski, P.C.
280 North Old Woodward, Suite 400
Birmingham, MI 48009
(248) 647-6000

CERTIFICATE UNDER 37 CFR 1.8(a)

I hereby certify that this correspondence and any attachments are being sent to the United States Patent Office via first class mail, postage prepaid, in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on this 30 day of March, 2000.

Bonnie A. Clack
Bonnie A. Clack

TEA/bc
ARM-11206/08
3/28/00